While It's Fresh.

Finding of Skeleton Suggests

Man Shot Down.

RECALLS STIRRING

That It Might Be That of

SCENES IN EL PASO

Was the skeleion exhumed in the

basement of the Popular the other day

that of a one time district judge of El

N. M., thinks it was. Fountain, in the

belief that the identity may be estabbelief that the identity may be estab-lished, sends a description of former district judge Gaylord J. Clarke, who was killed here in 1870 by B. F. Wil-liams, a man who had also made an at-

tempt on the life of Mr. Fountain's father, A. J. Fountain, who was later murdered on the New Mexico plains.

Mr. Fountain writes The Heraid: Mesilla, N. M., April 2, 1910.

I see in your paper an account where

ir digging a pit for a new freight ele-

vator at the Popular store, the work-men dug into a decayed coffin and ex-

humed a body, which is believed it was interred about 30 years ago. I lived

in El Paso from 1866 to 1875. About

September, 1870, a lawyer named Williams killed district judge Clarke with

a shotgun; he fired two loads of buck-shot into the Judge's breast, tearing a

killing was done in El Paso street near Walz's store. The judge was a Mason

and was buried by the Masons in the

Masonic cemetery, which was on San

Antonio street on the east side and

about 500 yards from El Paso street.

The body was placed in the coffin and

some slake lime was put around the

It may be that the Popular store is

on the ground where the cemetery was and that the body is that of judge Clarke, it would be well to find out if

there was lime in the coffin, also to see

if there are any signs of the breast

bones being broken and one can be sure that those are the remains of judge

Judge Clarke was about 5 feet. 10

that were exhumed says the smaller

the skull and the big bones of the arms

and legs, and part of the spine. The

dertaken was called and he does no

know if there was any quicklime in the

Story of the Killing.

W. W. Mills, in his "Forty Years at El Paso," tells of the killing of judge

bones had all decayed and he only got

had black hair and a long black

Albert J. Fountain.

big hole in the judge's breast.

Editor El Paso Herald:

"Ring" Captains, Lieutenants, Officeholders and Candidates Wax Eloquent Over the Virtues of Democracy Triumphant, and Nominate Candidates Who Had Already Been Selected.

canned conventions will go on as long as the "ring" rules, but it is doubtful There was the customary pause to if there will ever be a more cut-and- give the cut and dried meeting the apdried convention than the one held Monday night to "nominate" a ticket rived. D. C. Booth, city auditor, city for school trustees to represent the purchasing agent, executy paymaster voted dry and 16 voted wet.

So perfectly was the machine working that it required less than the cusvention, made up of the ring lieutenants, ring followers and the idly curious, to put through the ticket which had been selected three days before and appounced publicly.

Turne, on the Job.

Then the machine started to grind out its stereotyped nominations for the good of the public schools and the city at large. D. C. Booth, city auditor, automobilist in waiting to the mayor, and part manager of the Happy Hour theater, nominated W. W. Turpey for permanent chairman, it was seconded by J. D. Ponder, and Mr. Turney, who evidently was not surprised, accepted the honor, and presided. C. W. Fassett, who at present is working on the city's books, arose and placed the ring ticket in "nomination," the same ring ticket that had already been announced by the men who make the ring's slates and pills. Here was where the boys got in their fine work, for, seconding nominations is one place where they

Before the nominations were put to a vote judge Harper called for judge Eylar to "tell us about the Republicans on the other ticket," it hardly being considered necessary to vote on the ticket as "nominated," since it had been Eylar refused, the nominations were put before the socalled convention, the vote was unanimous, and after Joe Nealon-ring candidate for district attorney-had made a Joe Nealon speech, Johnnie Wyait, ring chairman of the police commission and receiver for the waterworks, moved that they adjourn and they did adjourn sine die.

Starting the Machine. While the crowd of idle curious were sauntering through the swinging doors a better looking man, but he stopped of the court room, a delegation of the men who are known as the ring lieu-men who are known as the ring lieu-"The purpose of this meeting tonight, tenants came through the doors, preat a table to himself as if expecting the usual formula of "Mr. Chairman, I nominate judge J. D. Ponder for secretary of this meeting. Maury Kemp ing, that the men you shall nominate led, followed by Dr. W. H. Anderson, will be men of integrity, men imbued city health officer; James R. Harper, judge of the 41st district court; Park Pitman, county clerk by the grace of the statute of limitations; Henry Kelly and I. G. Gaul, superintendent of the posed upon them by law. county poor farm;

Attorney Kemp bustled around the court room, went up to the judge's bench, came back and then waited until the crowd had quieted sufficiently to permit of his opening speech being heard. "Early in May there will be an election for school trustees," he said. with the same impressive tone Darwin no doubt used in announcing his theory of evolution. "We have met here this evening pursuant to a call and upon Invitation of a great many citizens who are interested in our school system and in the prosperity and improvement of the system. It is necessary to perfect a permanent organization. The chair

Canned conventions have come and will entertain a motion or motions for officers to preside over this meeting."

Booth and Turney. pearance of being spontaneous. Finally, part manager of the Happy Hour theater, arose in all the dignity of his 200 odd pounds, and forgetting to recognize the chair, nominated W. W. Turney to be the permanent chairman, only Booth called him "senator Doubleyou Doubleyou Turney," to have the proper effect.
The nomination came as no surprise
to Mr. Turney, for he had applicable

to Mr. Turney, for he had evidently been walting for the lightning to strike since before 8 o'clock with his feet in one of the windows of the railed off portion of the courtroom and with his back to the crowd. Judge Ponder, always to be depended upon to second anything, seconded the nomination with such alacrity that the man who had evidently been slated to perform this important part in the play, did not get a chance until Ponder had got away with it. There were no other nominapreside, the attorney breaking off an interesting conversation for the less pleasant task of making. interesting conversation for the less More than 200 cities and towns in pleasant task of making a speech at a Himois outside of Chicago are voting

"fixed" political meeting.

Ponder Got His Regular Job. J. D. Ponder was nominated for secre-

tary. He always is. From force of habit he was nominated by half a dozen of the faithful, J. R. Harper leading the chorus. Someone nominated D. C. Booth for the same office, which was considered a good joke by the crowd, as they howled their delight. This was lost for the want of a second, and it was secretary Ponder from that moment. Closing his career as presiding officer with the remark, "I suppose it is not necessary at this time agreed upon carlier in the game. Judge to have a treasurer," which was also considered a good joke by the amuse-ment seeking crowd, temporary chair-man Kemp modestly retired, stating that he gave way to a better known man in considered a good joke by the amusehe gave way to a better known man in the person of Mr. Turney.

Referring pointedly to the meeting as your meeting," as if he wished to dis-

claim any particular credit or ownership of it. Mr. Turney plunged in.
"I thank Mr. Kemp for his pleasantry. I thought he was going to say "The purpose of this meeting tonight, as I understand it, has for its object the selection of candidates for the office of school trustees for the ensuing two years.

"I feel, from look!"

with the idea that the standard of El Paso's schools should be kept at highest plane, men who will honestly and fearlessly discharge the duties im-

"El Paso today, and for many years past, has had schools of the best standing in the state. All the education I ever gained in any school was through the public schools of Texas. They were good enough for me, and I think we should make them good enough for any-

Defends School Board. "There was some talk through the press and on the streets that the schools had been conducted extravagantly, but I do not believe that is true, and they have failed to show wherein it has

"We must remember that it costs more to live in El Paso than in any other city in Texas; it costs our teachers (Continued on Page Eleven.)

BEVERIDGE DENOUNCES THE TARIFF MEASURE

Indianapolis. Ind., April 5.-When senator Beveridge, in a speech as temorary chairman of the Republican state convention, today declared his aningenism to the new tariff law, he was greeted by great applause.

Repeating as his text, "I could not stand for it then and cannot stand for it now," senator Beveridge made an impassioned defence of his action in voting against the Payne-Aldrich tariff bill.

" Like president Taft, I wanted free from ore of which we have the greatest deposit on earth, and which the steel trust chiefly controls," he said; "like president Taft. I wanted many raw materials that need no protection, put on the free list. Yet only one was so trented, "Like president Tuft, I wanted the ancient woolen schedule reduced; it gives

the woolen trust unfair control and raises the price and reduces the weight of From few if any of the decreases do the people get a benefit.

"I was for a law that would have protected the wages of every working

men in Indiana and yet enable that working man to get his clothing and comforts cheaper-and such a law could have been written. It shall be written."

The platform adopted ignores the Payne-Aldrich tariff law and declares only for a protective tariff "that covers the difference in the east of production here and abroad," also a demand for the immediate creation of a "genuine permanent nonpartisan tariff commission."

PRAIRIE FIRE SWEEPS RANGES NEAR PLATEAU

Plateau, Texas, April 5.—But for the burried here on a freight train, being prompt and untiring work of nearly reinforced by every available man for 100 men, this section of the country would now be in the throes of the most without food or rest until midnight. destructive prairie fire ever known here. About 2:30 Monday afternoon sparks from a Texas & Pacific engine set fire to the tall dry grass, about

The cowboys and section men began promptly to fight the flames, but with-

Section forces from Alamore, Van Wild Horse and Boracho were | fire was discovered

when it was got under control, only about 30 sections having been burned

This is a great loss in grass to the threequarters of a mile east of this place, which rapidly spread in various the year. The heaviest loss was on the Evans ranch, where they had just had An additional 500 head of cattle were on their way to the range when the

Prohibition Is the Issue in Many Elections in Progress in Many Places.

MICHIGAN VOTES OUT 300 SALOONS

Detroit, Mich., April 5 .- More than 300 saloons were voted out of business by the people of 19 Michigan counties yesterday. Of the counties where local option elections were held, 20 countles

Wisconsin Faces "Dry" Issue. Milwaukee, Wis., April 5 .- Municipal elections are being held throughout Wisconsin today. In many places the "wet" or "dry" Issue is before the peo-

Colorado After the Saloon, Denver, Colo.. April 5.—Municipal that of a one time district judge of El elections are being held today in a number of cities and towns in Colorado. The saloon is the issue in many in-

Illinois Faces Saloon Issue. Chicago, Ill., April 5 .- One of the most important aldermanic elections in Chlcago's history is being held today. The regulation prices of gas and tele-phone service and the construction of a tions to be settled by the next council, and the reform organizations are put-

AUSTIN WILL HAVE SHAM BAT-TLE AND FIREMEN'S PARADE

on local option.

My Goodness Gracious, But They Are Going to Celebrate in the State Cap-ltal—Dam To Be Built.

Austin, Tex., April 5.—All indications today are that the contract for rebuilding the great dam across the Colorado river has been approved in the city ele-tion by a rote of 20 to 1. The dam will cost \$1,000,000. The Dumont Halmes company of Chicago, is to build it. The result will be celebrated tomorrow by

....... NEGRO RUSHED OFT

OF REACH OF MOB. Shreveport, La., April 5 .- Simp Wiltz, a negro, was brought here today from Mouroe to prevent a mob from lynching him. Wiltz killed marshal L. A. Ward, of o Farmersville, and admits the o crime. He also admits killing o an Indian in Oklahoma. A mob was en route to Monroe when officers hurried the negro

00000000000000000

00000000000000000

BURN IN CAR. Wichita Falls, Texas, April 5 .horses consigned to the G M. Griffin stock farm at Cliston, Okla., were burned to death in the railroad yards here late land night. All but three horses were incinerated. The loss is \$20,000. The origin of the fire is unknown.

******* WOMEN, CHILDREN AND

Marshall. Texas, April 5 .- Fifteen hundred women and children and 200 shopmen formed one parade this mornsupport of the prohibition issue in the local option elec-held here today. option election, which is being

Good order prevailed, and there was no outbreak as threatened because of captain of California Volunteers, had the negroes' participation in the elec-

ANTI-OPTION BILL TO BE REPORTED IN HOUSE

Washington, D. C., April 5.-Chairman the house agricultural commiltee, today said he will introduce in this afternoon the anti-option bill as finally agreed upon in com-

The bill will assert power only under the interstate commerce law and will seek to control cotton orders only when wired from state to state.

+++++++++++++ LIVE WIRE KILLS A

STREET CAR CONDUCTOR. San Antonio, April 5.—Otto Bulan died last night from the effect of a shock received when he attempted to pick up a live wire blown down during a hailstorm. Bulan was a street car conductor and lived an hour after receiving the shock.

Death Of King Menelik KING Left A Widow By



QUEEN OF ABYSSINIA.

TEXAS CONSERVATION CONGRESS SHOUTS IN PRAISE OF PINCHOT

names of Roosevelt and Pinchet were cies and applause at the opening session of the Texas Conservation congress here today.

The following letter from Hon. F. W. K. M. Tipple, pastor of the American Mondell, congressman from Tyoming Methodist church, in which the latter and president of the Dry Farming conmade a bitter attack on the Catholic gress was read to the Dry Farming conhere today.

The undertaker who has the bones The delegates declared that the con-

James C. Sipe representing Mr. Pinchot, electrified his audience by an emcasket or not; neither does he know if phatic denunciation of the special inthere were any evidences of black beard terests. Sipe urged the convention to request the Texas congressional delegation to vote for the "withdrawal bill,"

Clarke. It really arose out of the electhat his suggestion will be followed. tion of governor Davis as chief execu-Thirty-four counties are represented tive of Texas. Gov. Davis was the father of Waters Lavis, at present a here today but more are expected by leading attorney of El raso. Mills, in his story of the ailling, says: mayor M. Davis, M. L. Swinehart, of Pecos: A. S. Hawkins, of Midland; A.

On a fine autumn day. 30 years ago, on El Paso street, where the Mundy block now stands, Gaylord J. Clarke and B. F. Williams were shot to deat within a few moments of each other and within a few feet of each other. Clarke was a scholar, a lawyer and at the time of his death was judge of the Di Paso district. He was a Republican, B. F. Williams came to El Paso about the time that Clarke came. He in a lewyer, had served in the Confederate army and was a Democrat.

Albert H. French was a Boston man, who had gone to California in his youth and had come to El Paso in 1863 as a married there and was a peace officer of the county.

A. J. Fountain has been mentioned

elsewhere in these pages,

The quarrels grew out of an election held about a year previous in which Clarke and French supported Hamilton for governor and myself for the legislature; Fountain and Williams leading the Davis was inaugurated governor and

Fountain was all powerful at the state capital. But now trouble began for the vic-

tors. Williams believed that by sup-porting Davis and Fountain and aiding to defeat and otherwise injure me he had earned the judgeship of the El Paso Fountain. But Fountain conceived an known. idea that it would be a good move to placate at least one gentleman and at the same time win away from me my friend, and so, to the surprise of everybody, he tendered the judgeship to Clarke, and it was ac-It has been faisely stated that Clarke

(Continued on page Six.)

For: Worth, Texas, April 5.—The the convention today, All favored Texas | colony, set for tomorrow night.

Greeting From Dry Farmers. gress, was read to the convention: I Dry Farming congress to the servation of natural resources meant first Conservation congress of Texas. the application of the square deal to I am confident that much good will Leishman not to hold the from the deliberations of the Texas, with its wide area of body. semi-arid territory is vitally interested in the work of conservation being carried on by the Dry Farming con-

"No p. oblem which will be presented your congress can be more important than that of extending the area and in the resolutions which will be of profitable agriculture in semi-arid drawn this afternoon it is expected regions through the adoption of thor of profitable agriculture in semi-arid ough and scientific methods of cultiva-

We earnestly hope for cooperation f the Texas Conservation congress Secretary of state Townsend, with the work of the Dry Farming con-

"F W Mandell"

HOPE FOR CHEAP ********** MEAT HAS PASSED

President Slaughter of Cattlemen Savs Meat Boycott Is Laughable.

vention of the Panhandle Stockmen's associ-lon opened here today with 5000 4 visitors attending.

President Slaughter delivered his annual address, in which he declared the boycott on meat was purposeless and laughable. He said the hope for cheap meat has passed, as there is no more free grazing

BROOLYN BANK CLOSES DOORS

New York, N. Y., April 5,-The doors of the Union bank of Brooklyn were closed this morning. The bank has seven branches. O. H. Cheney, state superintendent, has taken hourge. The district, which was at the disposal of assets and liabilities were not made

According to superintendent Cheney, the "bank is in an unsafe condition be cause certain of its assets are of a character for which the present management is not responsible

Edward M. Grout, former controller of the currency in New York, is president of the bank. It has a capitalization of \$1,000,000, and deposits of \$5,-

By

T. G. Turner

TAKES POISON FOR MEDICINE AND DIES.

Dallas, Tex. April 5.-Mrs. W. Lindlay fell to the floor while preparing the evening meal rushed to her assistance, she whispered: "Carbolic," and diel soon afterwards. An empty bottle which had con-

tained poison, was nearby similar to one from which she had been taking medicine lieved she swallowed the poison

STATE WILL NOT BUY ANY MORE TRUST TOBACCO

Austin, Tex., April 5 .- Labor commissioner Myers today advised nurchasing agent White not to buy socalled "trust" tobacco for veterans at Confederate This is the only institution for which the state buys tobacco.

Victor Emanuel Calls on Ex-President at His Hotel in Italian Capital.

VATICAN EPISODE REFUSES TO DOWN

Roosevelt Declines to Help Either Side in Religious Controversy.

Rome, Italy, April 5 .- King Victor Emmanuel called on Mr. Roosevelt at the latter's hotel this morning. Some time was spent in animated conversation. Following the chat, the king and Mr. Roosevelt entered his majesty's motor car and paid a visit to the barracks of the cuirrassiers, the royal bodyguard, The cultrassiers executed a series of maneuvers for the former president, who was much pleased.

Dinner to the Colonel.

Last evening there was a grand dinner at the palace given by the king and queen in honor of colonel Roosevelt and his family. Great preparations had been going on for this event and the queen herself directed all the arrangements, desiring that no details should be

In all, Mr. Roosevelt had a strenuous day. After his meeting with the king he visited the pantheon, where he was the object of a popular demonstration. He lunched with ambassador Leishman and received the Italian journalists in the afternoon.

Reception in Annuled

Mr. Roosevelt today called off the reception to the members of the American action can be traced directly to the is-suance yesterday of a statement by Rev. ress, was read to the convention: church. Apparently Mr. Roosevelt does
"I desire to extend greetings from the not propose to be used by anyone to ational Dry Farming congress to the the disparagement of anyone else, for this morning he requested ambassado

A Methodist Tirade Tipple called on Mr. Roosevelt yesterday and later made a public state-ment which lifted the vatican episode

out of the realm of the personal and gave it a worldwide significance. "Mr. Roosevelt has struck a blow for 20th century christianity," said Dr. Tip-The representatives of two great republics have been the ones to put the vatican where it belongs. The vatiincompatible with principles. This is a bitter dose for the patriotic Catholics in America to swal-I wonder how many more doses of this sort will they take befare they revolt? Roman Catholicism is the uncompromising foe of freedom. The world advances, but the vatican never."

Reception Called Off. Ambassador Leishman had arranged the reception at the American embassy the Americans in Rome, regardless their religious faith. The appearance however, of Dr. Tipple's statement dis-pleased many American Catholics, who forthwith manifested an intention staying away from the reception if the Methodists of the organization represented by Dr. Tipple were to be present. The matter was carried to Mr. Roosepromptly asked Mr. Leishman to cancel the whole affair.

The sensation caused by a determina tion of Mr. Roosevelt not to be received by the pope on the terms made by cardinal Merry Del Val continues un-

columns on the subject.
Papers of all shades of political opinion, with the exception of the cierical or or ns. support Mr. Roosevelt's attitude. Some violent anticlerical sheets are try-

(Continued on Page Two.)

SENATE CRITICISES BEVERIDGE'S ABSENCE

Washington, D. C., April 5.-Again when the statehood bill was called on the calendar, senator Bornh (Idaho) asked what right Beveridge had to take the statehood report to Indiana, to revise and change it to suit himself, instead of letting it go to the printer in the regular order.

Hale (Maine) made an attempt to defend Beveridge in his action. A Democratic member said they understood it that Beverlige wanted to make his report a plank in the Indiana state Republican platform. There

was laughter and merriment in the senate and press and other galleries. Beveridge by his action is causing sentiment in the senate anything but

DROPS DEAD AT THE FUNERAL OF FRIEND

Marshall, Texas, April 5 .- Mrs. Julia Little, of this city, fell dead while assisting the neighbors of Mrs. S. D. Walker in funeral preparations for the latter's husband, who died suddenly ast night.

Just a Story Of a Dirty Little Boy and the Salted Peanuts

RUE, it was a machine, a cold, But yesterday the machine met a new

For a very long time it had done its | machine noted it. duty there in the lobby of an El Paso

At last the boy placed the cent in office building. It had received pay the slot and pushed the lever. There click of satisfaction. The machine had water piped and 500 head of cattle and delivered just as flesh and blood was an eager hungry look on the boy's performed its mission. placed on this now devastated pasture, machines do. It was an inanimate face. If ever a machine smiled, this more salted peanuts inside or the masalesman, a salted peanut vending ma- one did. a smile of good feeling and chine would have been more generous. sympathy.

Out came the little brown balls, They formal machine, created of iron sort of customer, a dirty, ragged little filed the hand of the little boy, the rods, steel springs, glass and Mexican chap, clothed in more dirt than fat, chubby, dirty little paw of the paint. But just the same, it had a cloth it took the boy a long time to lo- street animal that he was. And the heart somewhere down in its metalle cate a solitary cent piece. He invoiced peanuts continued to come, until the all his pockets in the finding. And the other hand was filled. Still they came, half a hatful in all.

And then the machine clicked, a soft But the boy was satisfied and happy.